



Austin City Council MINUTES

For MARCH 9, 1989 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council, noting the presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, approved minutes for regular meetings of February 14, 16 and 23, 1989 and special meetings of February 16, 21 at 3:00 P.M., 21 at 4:00 P.M. and 28, 1989. (5-0 Vote, Mayor Pro Tem Shipman and Councilmember Carl-Mitchell out of the room.)

CITIZEN COMMUNICATIONS

Mr. Ken Olson did not appear. Mr. Paul Robbins discussed STNP and other energy related matters. Mr. Barney Oldham discussed proposed policy change. Mr. H.P. Gillespie discussed location of civic center and location of an east-west thoroughfare. Mr. Ralph Merriweather discussed the City's policy and procedure concerning the Electric Board which has no Black representation. Mr. Lamar I. Musson was not present. Ms. Terri Richard gave information concerning the Crisis Hotline. Mr. Michael Glicker discussed electrical permit fees. Mr. Gilberto Rivera discussed City of Austin Personnel Policy and its effects on employees. Mrs. Billie H. Cook talked about fee waiver for amended plat.

BOARD AND COMMISSION REPORTS

Reports were presented on Support of Proposed Convention Center by the Downtown Commission, and Solid Waste Advisory Commission reported on Sale of Waste-to-Energy Plant.

CONSENT ORDINANCES - OLD BUSINESS

The Council, on Councilmember Humphrey's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (6-0 Vote, Councilmember Urdy out of the room.)

Disannexation

Approved requests for disannexation, pursuant to the provisions of SB 962, of certain properties annexed for limited purposes as follows:

- (1) C7ad-89-010 Approximately 30.9 acres in two tracts at RM 620 owned by the Windy Ridge Partnership
- (2) C7ad-89-011 Approximately .25 acres on RM 2222 owned by Owen Smith
- (3) C7ad-89-012 Approximately 336 acres at RM 620 and Wilson Parke Avenue owned by the Parke Investors Ltd.
- (4) C7ad-89-013 Approximately 170 acres at RM 620 and Comanche Trail owned by Horizon Investors Ltd.
- (5) C7ad-89-014 Approximately .92 acres at RM 620 and RM 2222 owned by Hal H. Bell
- (6) C7ad-89-015 Approximately .841 acres on RM 620 owned by Robert S. Perrill

Zoning Ordinances

Passed through second/third readings of ordinances amending Chapter 13-2 of the Austin City Code (Land Use) to cover the following changes:

- | | | |
|--|---|--|
| (1) ELI J. GARZA
By Oak Hill Properties,
Inc.
C14-88-0068 | South MoPac
Expressway and
West William Cannon
Boulevard | From Tr. 1 "DR" & SF-2"
to "GR-CO"
Tr. 2A "DR" &
SF-2" to "GR-CO"
Tr. 2B "DR" &
"SF-2" to "GR-CO"
Tr. 2C "DR" &
"SF-2" to "GR-CO"
Tr. 2D "DR" &
"SF-2" to "RR"
Tr. 4 "SF-2"
to "LO-CO"
Tr. 5 "DR" & SF-2"
to "GR-CO"
Tr. 6 "DR" & SF-2"
to "MF-2-CO"
Tr. 6A (CWQZ)
"DR" & SF-2" to "RR" |
|--|---|--|

First reading on October 27, 1989. There were two motions. The vote was 6-0, Councilmember Urdy, on all but Tract 4. The vote on Tract 4 was 4-2 with Councilmembers Barnstone and Humphrey voting No, Councilmember Urdy absent. Conditions have been met as follows: Conditional overlay incorporates conditions imposed by Council. Restrictive covenant incorporating conditions imposed by Council has been executed.

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- (2) WASTE MANAGEMENT OF 9708 Giles Road From "DR"
NORTH AMERICA to "P-CO"
By Espey, Huston and
Associates
C14-88-0043

First reading on July 28, 1988, (7-0). Conditions have been met as follows: The right-of-way dedication requirement has been satisfied.

- (3) CLARKSVILLE COMMUNITY 1805-1807 West From "SF-3"
DEVELOPMENT CORP. 11th Street to "P"
By Karen Paup
C14-86-093

First reading on June 26, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (4) BUFORD STEWART 6500-7000 East From Tr. 1 "DR"
By Meyer, Lytton, Ben White Boulevard to "LI-CO"
Allen, Whitaker, Inc. Tr. 2 "DR"
C14-86-047 to "LI-CO"
Tr. 3 "DR"
to "LI-CO"

First reading on December 1, 1988, (6-0). Councilmember Charles E. Urdy out-of-room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (5) SANDAHL PUD 9000-10000 Brodie From Tr. 1 "DR" &
By Kristaponis, Gregory Lane & Riddle Road/ "Interim RR"
& Associates Slaughter Lane to "LO-CO"
C14r-85-273 Tr. 2 "DR" &
"Interim RR"
to "SF-2-CO"
Tr. 3 "DR" &
"Interim RR"
to "GR-CO"
Tr. 4 "DR" &
"Interim RR"
to "GR-CO"

First reading on February 11, 1988. (4-1-0). Mayor Pro Tem Shipman voted "no". Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Conditional Overlay incorporates conditions imposed by Council.

ITEMS POSTPONED

Postponed to April 20, 1989 is consideration of approval of an amendment to the Dobb's House, Inc. Agreement providing for increased rental rate to be paid to the City, renovation of existing facilities, construction of new facilities, MBE/WBE participation, and extension of the term of the agreement. (Estimated additional revenue for Fiscal Year 1988-89 \$204,702.00) Councilmember Barnstone discussed for a short time.

Postponed to March 28, 1989 is consideration of approval of a new rate setting process as recommended by the Electric Utility Commission.

Postponed indefinitely is consideration of amending Ordinance 871022-G, waiving zoning site plan and development permit fees of the Planning Department for the Sematech Project.

Postponed to March 16 is consideration of the sale of two City-owned residential lots which are part of the Glen Oaks Urban Renewal Plan properties to Austin Habitat for Humanity, Inc., a non-profit organization, to be used as low cost owner-occupied housing by low income families.

Postponed to March 30, 1989 is consideration of accepting the Five-Year Financial Forecast for Fiscal Years 1988-89 to 1993-94.

Postponed to April 6, 1989 is zoning hearing on case C14-88-0097.

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (5-0 Vote, Councilmembers Urdy and Barnstone out of the room)

Operating Budget Amendment

Appropriated \$265,880.00 to the Transportation and Public Services Department for expenses associated with an interlocal agreement with Travis County for traffic signal design, installation, maintenance and operation. (These expenses are to be reimbursed by the County.)

Increase in Health Department's Operating Budget

Approved increasing the Health Department's Fiscal Year 1988-89 Operating Budget by appropriating \$71,500.00 from the General Fund ending balance for the Central Texas Medical Foundation (CTMF) Contract.

Tax and Revenue Refunding Bonds

Approved South Austin Growth Corridor Municipal Utility District's \$2,500,000.00 Series 1989 unlimited tax and revenue refunding bonds.

Watercraft

Approved amendments to Chapter 9-10 of the Austin City Code, dealing with watercraft.

Meeting Postponed

Postponed the regularly scheduled meeting of the Electric Utility from March 14, 1989 to March 28, 1989.

CONSENT RESOLUTIONS

The Council, on Councilmember Barnstone's motion, Councilmember Humphrey's second, adopted the following resolutions all in one consent motion: (7-0 Vote)

Release of Easements

Authorized the release of the following easements:

- a. Portions of Public utility Easements along the common lot line of Lots 31 & 32, Tarry Town Subdivision, locally known as 2800 Bowman Avenue. (Request submitted by Grace Title Company on behalf of J.C. Pollard)
- b. A portion of the Public Utility Easement on Lot 15, Block "G" Circle C Ranch, recorded in Volume 10413, Page 63, of TCDR, locally known at 11007 Needham Court. (Request submitted by Eric Rome, Vice President, Newmark Home Corporation)
- c. Portions of the Blanket Electric Easement of record in Volume 655, Page 363 and Volume 655, Page 384 of the TCRPR insofar as they affect that 20.00 acre tract of land being a part of the L.C. Cunningham Survey No. 68, Travis County, Texas (IH 35 @ West Dessau Road). (Request submitted by Thomas J. Hillis, Jr. on behalf of John Reynolds and Associates, Inc.)
- d. A portion of the Drainage Easement in Lot 1, Block A, South Point Subdivision, recorded in Volume 85, Page 11A, of the Plat records of Travis County, Texas, 5000 South IH 35. (Request submitted by Forrest Powers on behalf of Chasewood Partners IX)

Eminent Domain Proceedings

Authorized the filing of eminent domain proceedings to acquire the following:

- a. A Temporary Workspace Easement containing 662 square feet of land out of Lot 3, Block F, Southampton Section 3-A Subdivision, Travis County, Texas, owned by David C. Perez and wife, Tracy Williams Perez for Kincheonville Wastewater Improvements Project. C.I.P. No. 86/23-31

- b. A Waterline Easement containing 0.133 acre (5,793 square feet) of land and a temporary construction easement containing 0.248 acre (10,803 square feet) of land out of the Rachel Saul Survey, Abstract No. 551, Williamson County, Texas, owned by Hyde Park Baptist Church for the Anderson Mill Transmission Main. C.I.P. No. 85/22-30.

Capital Improvements Program

Approved acquisition of Lot A, together with all improvements thereon, Holden Addition for the Highway 183 Drainage Improvements Phase III Project. CIP No. 85/62-01

Approved acquisition of 46,751 sq. ft. of land and 41,830 sq. ft. of drainage easement for Montopolis Drive Street Improvement Project. CIP No. 85/62-27.

Approved the sale of right-of-way for the U.S. 183 Expansion Project from the City owned tract located at U.S. 183 and North Lamar Boulevard northeast corner (S-87). CIP No. 85/62-01 (City will receive \$13,337.10)

Approved acquisition of 13,592 square feet of land for a Waterline Easement and 32,760 square feet of land for a Temporary Work-space Easement for the East Ben White Transmission Main Project. CIP No. 85/22-51.

Contracts Approved

- | | |
|--|--|
| a. PERKIN-ELMER CORPORATION
2201 North Central Expwy,
Ste. 105
Richardson, Texas | - Atomic Absorption Spectrophotometer System, Water and Wastewater
Total \$88,659.00 88-S246-JD |
| b. SCIENTIFIC MARKETING
INSTRUMENTATION & LABORATORY
EQUIPMENT, INC. (HNA Systems)
P. O. Box 713
Georgetown, Texas | - Gas Chromatograph System, Water and Wastewater Department
Total \$28,435.00 88-S245-JD |
| c. APPLE DODGE, INC.
5210 South IH-35
Austin, Texas | - O.E.M. Repair Parts for Chrysler Passenger Cars and Light-Duty Trucks, General Services Department
Twelve (12) Month Supply Agreement
Total \$72,000.00 89-0059-RD |

d. CONTRACTORS EQUIPMENT AND
RENTAL, INC.
1316 E. 14th Street
Kansas City, Missouri

- CAPITAL IMPROVEMENT PROGRAM -
Rental of a 150' Aerial Tower,
Electric Utility Department
Total \$54,900.00 89/11-04

License Agreement

Approved entering into a License Agreement to allow the placement of landscaping and irrigation systems into the right-of-way of Boulder Lane, Beckwood Drive, Appletree Lane and Crossland Drive. (Request submitted by Glen K. Weichert on behalf of Canyon Creek Homeowner's Association, Inc.

A.B. Dittmar Recreation and Swimming Pool

Approved naming the A.B. Dittmar Recreation Center and Swimming Pool.

Library Lease

Approved entering into an agreement to extend the lease for the Windsor Village Branch Library at 5825 Berkman Drive.

Fire District Created

Granted permission to allow creation of Travis County Rural Fire Prevention District No. 13.

Texas Water Development Board's State Revolving Fund Loan Program

Approved requesting financial assistance from the Texas Water Development Board's State Revolving Fund Loan Program, authorizing the submission of the application, designating the City Manager as the authorized representative for executing the application, and appearance before the Board. (Project Cost=\$6,170,000.00)

Oak Hill Area Water System

Approved an agreement amending the agreement regarding the construction of improvements to the City of Austin's water system in the Oak Hill Area. (Estimated Cost=\$103,000.00)

Central Texas Medical Foundation

Authorized execution of a contract with the Central Texas Medical Foundation in the amount of \$2,818,500.00 for the period of October 1, 1988 to September 30, 1989 which also merges the University of Texas Health Science Center at Houston Obstetrical/Gynecological program with CTMF with an additional amount of \$420,000.00 for the period of March 1, 1989 to September 30, 1989.

BOARD AND COMMISSION APPOINTMENTS

The Council unanimously agreed to appoint the following members to boards and commissions:

Affirmative Action Plan Advisory Committee: Patricia Swain

Airport Advisory Board: Willie Lewis

Design Commission: Clovis Heimsath, Emily Little, Perry Lorenz
and David West

Ethics Commission: Dr. Alan Sager

Housing Authority of the City of Austin: Eric Mitchell & James
Person

MH/MR Board of Trustees: Robert Hernandez

CODES

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, passed through SECOND READING of an ordinance establishing fees for permits and licenses authorized by local amendments to the Uniform Fire Code, 1988 edition. (7-0 Vote)

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, passed through SECOND READING of an ordinance establishing fees for relocation and demolition permits authorized by local amendments to the Uniform Building Code, 1988 edition. (7-0 Vote)

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, passed through SECOND READING of an ordinance amending the following: (7-0 Vote) (Mayor Pro Tem Shipman said that the Uniform Housing Code should be kept at FIRST READING until more information is obtained from staff because she wanted to be sure of what was being changed.)

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, passed through SECOND READING of an ordinance amending the following: (7-0 Vote)

- (1) Title XIII (Land Development Code) of the Austin City Code of 1981 relating to the adoption of the 1988 editions (together with respective local amendments) of the Uniform Building Code, Uniform Fire Code, and the Uniform Code for Abatement of Dangerous Buildings; revisions to the Energy Code; and revisions to the adopted local amendments to the 1987 National Electric Code.
- (2) Chapter 13-1 (Land Development Procedures) of the Austin City Code of 1981 relating to adoption of the 1988 editions of the various technical codes, local amendments to such technical codes and an amnesty for building uses in existence March 1, 1986.

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Disposition of each case follows.

- (1) -89 SETTLEMENT CLUB 1600 Peyton Gin From "SF-3"
0002 By Sheri Gallo Road To "PUD" & "PUD-H"
FIRST READING (See Motion)

RECOMMENDED to grant "PUD" and "PUD-H" as recommended by the staff, subject to these conditions and modifications: (1) existing fencing shall satisfy screening requirements of the compatibility standards, (2) Settlement Club shall replace fencing where missing; maintenance, however, shall be the responsibility of the benefitting property owner, (3) maximum number of residents shall be 50, of whom no more than 10% can be between the ages of 19 and 21, (4) except for the 10% previously mentioned, the age limit of residents shall be no older than 19 years.

Motion

Mayor Pro Tem Shipman said "the PUD should be granted as recommended by the City staff, that is a one page summary that both the neighborhood and the Settlement Club have a copy of. It's from the Planning Department and was part of the Planning Commission's recommendation. On Item 3, Tract 1, there is a typographical error and it should read 'new development' because that tract is underdeveloped at this time. Then the motion would be to grant a PUD and a PUD-H as recommended by staff, subject to the following conditions and modifications:

1. The Settlement Home will install and maintain fencing on the rear boundary of the six lots now not having same. In the event existing fence is not maintained the Settlement Club will provide fencing as required. All presently existing fencing shall be maintained by the individual owners concerned.
2. Maximum number of residents shall be 48 in Tract 1 with the maximum age limit of 21 with no one admitted past their 18th birthday.
3. Tract 2 will allow transitional housing, only, and no more than 16 transitional residents shall be permitted on Tract 2 in accordance with existing City requirements for duplex family residency and an upper age limit of 23.
4. No student residents on Tract 1 shall be permitted to have a car on premises.
5. Family members, guardians and staff shall not be counted within the limiting residential numbers.

Councilmember Carl-Mitchell seconded the motion, which passed by a vote of 7-0.

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-89 TEXAS COMMERCE 6510 Yaupon Drive From "DR"
0004 BANK To "SF-2"
By Holford Group RECOMMENDED
ORDINANCE

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 5-0 Vote, Councilmembers Barnstone and Humphrey out of the room.)

-89 FRANKLIN FEDERAL 6504 Bridge Point From "GR" & "LO"
0001 BANCORP Parkway To "LI-CO"
By David C.
Bodenman

(Applicant Requests Emergency Passage of Ordinance)

RECOMMENDED to grant "LI-CO" and other conditions recommended by the staff; should the proposed LI use cease, then rollback to the current zoning; the transportation comment regarding revision of the site plan to be placed in a restrictive covenant.

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, 5-0 Vote, Councilmembers Barnstone and Humphrey out of the room.)

PARKING METER ZONES

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, waived the requirement for three readings and finally passed an ordinance, on an emergency basis, establishing parking meter zones in certain specified locations within the City of Austin. (7-0 Vote)

The Council, on Councilmember Barnstone's motion, Mayor Cooke's second, passed on FIRST READING ONLY the following ordinances: (4-3 Vote, Councilmembers Carl-Mitchell, Urdy and Mayor Pro Tem Shipman voted No.)

Amended the 1988-89 Operating Budget by:

- a. Reducing General Fund revenues by \$232,005.00 (\$42,000.00 in Transportation and Public Services Department meter collections, and \$190,005.00 in Municipal Court fine revenues).
- b. Appropriating \$41,000.00 to the Transportation and Public Services Department from the General Fund Ending Balance.
- c. Establishing three (3) core areas in the Central Business District and reducing parking meter rates to 1985 levels in those areas. Effective June 6, 1989.

- d. Reducing parking meter zone violation fines from \$10.00 (\$15.00 late payment) to \$5.00 (\$10.00 late payment).
Effective April 1, 1989.

PUBLIC HEARING NOT HELD

The public hearing on full purpose annexation was not held. It had been voted to not annex the areas by Council at the March 7, 1989 Council Meeting.

PUBLIC HEARING - APPEAL

Mayor Cooke opened the public hearing set for 5:00 P.M. on an appeal of Mr. James Allman of the Hyde Park Neighborhood Association, on an appeal of the decision of the Building Standards Commission on 3809 and 3811 Speedway.

Speakers cards are on file in the City Clerk's office.

Council made no motion, therefore the request was denied..

Mayor Pro Tem Shipman directed the City Manager to direct the staff to come back with the criteria for creation of a Hyde Park Special District.

**PUBLIC HEARING - CAPITAL RECOVERY FEE ORDINANCE AND INTERIM
DEVELOPMENT CODE AMENDMENTS**

Mayor Cooke opened the public hearing set for 5:30 P.M. on amendments to the Capital Recovery Fee Ordinance No. 880630-B and the Interim Land Development Code to clarify exception, exemption and refund provisions and to correct numbering.

Speaker's cards are on file in City Clerk's office.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooke's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance as modified, approving amendments to the Capital Recovery Fee Ordinance No. 880630-B and the Interim Land Development Code to clarify exception, exemption and refund provisions and to correct numbering. (5-0 Vote, Mayor Pro Tem Shipman and Councilmember Nofziger out of the room.)

STREET VACATION

Mayor Cooke opened the public hearing on a street vacation. No one appeared to be heard.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance vacating the following: (5-0 Vote, Mayor Pro Tem Shipman, Councilmember Nofziger out of the room.)

East 23rd Street (900 Block) and East 23½ Street (900 Block). (Request submitted by the Board of Regents of the University of Texas System.)

EXECUTIVE SESSION

Mayor Cooke announced Council would enter into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (b) Sierra Club vs. FAA #88-1820
- (c) CMI vs. LCRA/City of Austin
- (d) Potential litigation re: LCRA, City of Austin/Arco Coal Contract

2. Personnel Matters - Section 2, Paragraph g

- (a) Appointment of Municipal Court Clerk

3. Land Acquisition - Section 2, Paragraph f

- (a) Consider acquisition of working interests at Fayette Power Project

RECESS

Council recessed for executive session from 7:48 to 8:32 P.M.

ANNOUNCEMENT

When Council resumed their recessed meeting, Mayor Cooke announced, "We have, in coming out of executive session, instructed staff to proceed with working out a settlement between CMI vs. LCRA vs. City of Austin and bring that potential settlement back to the City Council. We have taken no action on the other items that were announced that we went into executive session for, with the exception of one and I will entertain a motion concerning Municipal Court Clerk."

MUNICIPAL COURT CLERK APPOINTMENT

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, appointed Overlin Rodriguez as Municipal Court Clerk. (4-0 Vote, Mayor Pro Tem Shipman, Councilmembers Urdy and Humphrey out of the room.)

LAND SWAP FOR CIVIC/CONVENTION CENTER PROJECT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Nofziger's second, adopted a resolution approving the reissuance of a Request for Proposals for the Exchange/Sale of City-owned land to acquire property to develop/construct the Civic/Convention Center Project. (4-0 Vote, Councilmembers Barnstone, Humphrey and Urdy out of the room.)

EXECUTIVE SESSIONS TO BE TAPED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted a resolution requiring the taping of City Council Executive Sessions. (5-0 Vote, Councilmembers Barnstone and Urdy out of the room.)

WORK HOURS - SOME CITY EMPLOYEES

Council had before them for consideration approval of an ordinance establishing the number of hours in a work day for use in the computation of pay and benefits for City of Austin employees.

Motion -FAILED

Mayor Pro Tem Shipman made a motion, seconded by Councilmember Carl-Mitchell to leave as is and not accept the City Manager recommendation. Motion FAILED by a vote of 2-4 with Councilmembers Barnstone, Nofziger, and Urdy and Mayor Cooke voting No, Councilmember Humphrey out of the room.

Motion

The Council, on Councilmember Barnstone's motion, Councilmember Nofziger's second, waived the requirement for three readings and finally passed an ordinance approving establishing the number of hours in a work day for use in the computation of pay and benefits for City of Austin employees. (4-2 Vote, Mayor Pro Tem Shipman and Councilmember Carl-Mitchell voted No, Councilmember Humphrey out of the room.)

PARK CURFEW

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and

finally passed an ordinance amending Section 10-4-4 of the Austin City Code, applying the park curfew to the Hike and Bike Trails, Greenbelts and the waters of Townlake and Decker Lake (Lake Walter E. Long). (5-2 Vote, Councilmembers Nofziger and Barnstone voted No.)

CIRCLE C MUD

The Council, on Councilmember Barnstone's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the consent agreement of Circle C Municipal Utility Districts Nos. 1 and 4, releasing certain lands from the obligations under the consent agreements for those Municipal Utility Districts, approving amendments as proposed. (7-0 Vote)

Staff is requested to report back in 30 days concerning the consent agreement.

ASBESTOS CONSULTANT

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Shipman's second, adopted a resolution approving Asbestos Control Consultants Inc. as the asbestos consultant to survey public buildings to support litigation on the estimated amount of \$50,000.00. (6-1 Vote, Councilmember Barnstone voted No.)

1988-89 CAPITAL BUDGET AMENDMENTS

The Council, on Councilmember Nofziger's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending the 1988-89 Capital Budget by accepting and appropriating a grant from the U.S. Department of Energy in the amount of \$326,511.00 for the Brackenridge Hospital Energy Conservation Project. C.I.P. No. 86/52-02. (7-0 Vote)

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance approving an interfund transfer of Department of Aviation C.I.P. budgeted funds in the amount of \$1.30 million to cover costs associated with asbestos abatement. (6-0 Vote, Councilmember Humphrey abstained.)

ASBESTOS ABATEMENT AT ROBERT MUELLER AIRPORT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving an amendment to the Greiner Austin Team contract that will allow for the preparation of construction drawings necessary to perform asbestos abatement at Robert Mueller Municipal Airport. (6-0 Vote, Councilmember Humphrey abstained.)

ITEM POSTPONED

Postponed to March 16, 1989 is Habitat for Humanity Affordable Housing Proposal City Manager Report.

ADJOURNMENT - Council adjourned its meeting at 9:54 P.M.